

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court Case No: DA-09-0669

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FILED

MAY 17 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN RE:
THE ESTATE OF ROBERTCHARLES BOTHAMLEY

**UNOPPOSED MOTION TO JOIN IN AND
ADOPT CO-APPELLANT'S OPENING BRIEF**

COMES NOW Cross-Appellant Pamela Bisson, by and through counsel of record, Dean D. Chisholm and CHISHOLM & CHISHOLM, P.C., and moves this Court to allow Cross-Appellant to join in and adopt Co-Appellant, Cynthia Zimmerman's, Opening Brief for the reasons more fully set forth below.

This matter comes before the Court on appeal from the Nineteenth Judicial District Court non-jury trial held in Lincoln County, Montana on November 17, 2009 and November 18, 2009 wherein Cross-Appellant was a Co-Petitioner with Appellant Cynthia Zimmerman in that cause of action filed as Cause No. DP-07-

046. The District Court issued its Findings of Fact, Conclusions of Law and Order on the 23rd day of November 2009 and the Appellant Cynthia Zimmerman filed her appeal on December 22, 2009. One day later on December 23, 2009, Cross-Appellant Pamela Bisson filed her appeal, which was denominated as a Cross Appeal.

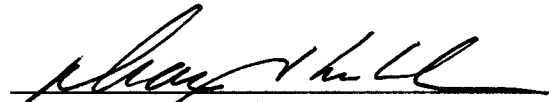
Cross Appellant's position as to the matters on appeal are identical as Appellant Cynthia Zimmerman's. Rather than file a separate brief as a cross-appellant, Bisson respectfully requests she be allowed to join in and adopt Appellant Cynthia Zimmerman's opening brief, and endorse the facts and legal arguments contained therein.

Counsel for all parties have been contacted and they express no objection to this motion.

Respectfully submitted this 14th day of May 2010.

CHISHOLM & CHISHOLM, P.C.

By:


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CERTIFICATE OF SERVICE

The undersigned does hereby certify that on the 14th day of May 2010, a true and correct copy of the foregoing *Unopposed Motion To Join In And Adopt Co-Appellant's Opening Brief*, was served upon the persons named below by placing such copy in the United States Mail, postage pre-paid and addressed as follows:

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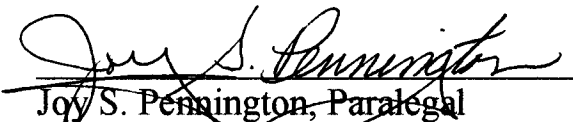
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Dated this 14th day of May 2010.

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